

09-12-2007 12:13pm From: WINSTON&STRAWN

+2122844700

T-892 P 002/002 F-125

WINSTON & STRAWN LLP

MEMO ENDORSED

35 WEST WACKER DRIVE
CHICAGO, ILLINOIS 60601-874343 RUE DU RHONE
1204 GENEVA, SWITZERLAND25 GRESHAM STREET
LONDON EC2V 1NG

GERRY SILVER

(212) 294-6627

gsilver@winston.com

200 PARK AVENUE
NEW YORK, NEW YORK 10166-4193

(212) 294-8700

FACSIMILE (212) 294-6700

www.winston.com

333 SOUTH GRAND AVENUE
LOS ANGELES, CALIFORNIA 90071-164325 AVENUE MARCEAU
75116 PARIS, FRANCE101 CALIFORNIA STREET
SAN FRANCISCO, CALIFORNIA 94111-58001700 K STREET, N.W.
WASHINGTON, D.C. 20006-3017

MEMO ENDORSED

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Your assumption is
correct. No appearance
is required.
Rich MHL

September 12, 2007

BY FACSIMILEHonorable Colleen McMahon
United States District Court
500 Pearl Street, Room 640
New York, NY 10007Re: Pacific Health Advantage d/b/a PacAdvantage v. Cap Gemini Ernst
& Young, Case No. 07 Civ. 3725 (CM)

Dear Judge McMahon:

We represent defendant in the above-referenced action. We are writing pursuant to Your Honor's Individual Practices.

On or about September 6, 2007, the Court dismissed the Complaint in this action. No claims are currently pending. Accordingly, we assume that the Initial Conference scheduled for September 14, 2007 is cancelled and that no appearance is required. However, in an abundance of caution, we respectfully request that the Court advise the parties if such assumption is incorrect and that an appearance is required.

Respectfully submitted,



Gerald D. Silver

GDS:js

Copy to Robert Kraselnik, Esq. (By Facsimile)

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